

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

DARRYL KEITH HARVEY, No. C 11-3032 SBA (PR)

Petitioner,

JUDGMENT

GARY SWARTHOUT, Warden.

Respondent.

9 Pursuant to the Court's Order Granting Respondent's Motion to Dismiss Petition as
10 Untimely; and Denying a Certificate of Appealability signed today, this action is DISMISSED
11 WITH PREJUDICE. 28 U.S.C. § 2244(d).

IT IS SO ORDERED.

DATED: 9/28/12

Saundra B Armstrong
SAUNDRA BROWN ARMSTRONG
United States District Judge

1
2 ~~UNITED STATES DISTRICT COURT~~
3 ~~NORTHERN DISTRICT OF CALIFORNIA~~
4 ~~DARRYL KEITH HARVEY,~~

5 Plaintiff,

6 Case Number: CV11-03032 SBA

7 v.

8 **CERTIFICATE OF SERVICE**

9 GARY SWARTHOUT et al,

10 Defendant.

11 I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District
12 Court, Northern District of California.

13 That on October 11, 2012, I SERVED a true and correct copy(ies) of the attached, by placing said
14 copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said
15 envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle
16 located in the Clerk's office.

17 Darryl Keith Harvey E-16700
18 California State Prison - San Quentin
19 San Quentin, CA 94964

20 Dated: October 11, 2012

21 Richard W. Wiking, Clerk
22 By: Lisa Clark, Deputy Clerk

United States District Court
For the Northern District of California

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